



Cypress' Motion for Summary Judgment of Noninfringement dated July 15, 2013 (*see* D.I. 51-11).

4. Braintree does not oppose this Motion but states that it has no knowledge of, and neither admits nor denies, the statements in paragraphs 1 and 2 above.

For these reasons, Cypress and Breckenridge respectfully request that the Court enter an Order in the form submitted herewith substituting Breckenridge for Cypress and deeming Breckenridge bound by the procedural and factual stipulations entered by Cypress in this action (D.I. 41 and D.I. 51-11).

Dated: October 15, 2013

Respectfully submitted,

/s/ Lisa N. Phillips  
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**CERTIFICATE OF SERVICE**

I hereby certify that on October 15, 2013, a true and correct copy of the foregoing **UNOPPOSED MOTION TO SUBSTITUTE A PARTY** was filed through the Court's Electronic Filing System (ECF), and was served electronically to the registered participants as identified on the Notice of Electronic Filing (NEF).

/s/ Erik van Leeuwen  
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Litigation Operations Manager  
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